IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 16125 of 2007(T)

PETITIONER:

SHIBU AUGUSTINE,
MATHIRAPPILLY HOUSE, EDAYAKUNNAM,
SOUTH CHITTOOR, KOCHI-27.

BY ADV. SRI.M.S.ANILKUMAR

RESPONDENTS:

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1. THE REGIONAL TRANSPORT OFFICER,
ERNAKULAM.

2. THE MANAGER,
INDUS IND BANK LTD., NO.36/1270, 2ND FLOOR,
VITHAYATHIL CHAMBERS, LISSIE JUNCTION,
LISSIE4 HOSPITAL ROAD, ERNAKULAM.

3. THE REGIONAL TRANSPORT OFFICER,
PATHANAMTHITTA.

BY ADV. SRI.M.A.JOSEPH
SRI.SOORAJ T.ELENJICKAL
ADV. SHRI.M.R.SABU, SR. GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 16125/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE FIRST PAGE OF REGISTRATION CERTIFICATE IN RESPECT OF THE VEHICLE KL-04 L 9005.

P2 : COPY OF THE ORDER OF THIS HON'BLE COURT IN WP(C) No. 15143/2005-C DATED 20/05/2005.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 16125 of 2007

Dated, this the 11th day of June, 2007

J U D G M E N T

Petitioner's case is that the RC book of his vehicle bearing Reg. No. KL-4/L 9005, is held by the 2nd respondent, the financier of the vehicle. However, learned counsel for the 2nd respondent on instructions submitted that 2nd respondent does not have RC book with them. The vehicle, which is a mini bus, requires fitness certificate also. In the circumstances, this writ petition is disposed of directing first respondent to receive tax and issue receipt and keep record for the same. It is open to the petitioner to apply for duplicate RC book in accordance with the procedure. If application is filed, duplicate RC book will be issued in accordance with the procedure within a reasonable time. I make it clear that the financier is free to exercise their rights for recovery of loan arrears.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg